THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5280 of 2007

Dated:15.03.2007

Between:

Kidambi Daruri Narasimha Chary.

... Petitioner

AND

The Assistant Commissioner of Endowments.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.5280 of 2007

ORDER:

The petitioner claims to be a member of the founder's family, which constructed Sri Lakshmi Venkateswara Swamy Temple, Vattipally, Falaknuma, Hyderabad, besides, claiming to be hereditary Archaka. Sometime in 2001 the petitioner approached the respondent and filed an application seeking a declaration that he is the member of the founder's family-cum-Archaka. The application is still pending, and therefore, he filed the instant Writ Petition seeking appropriate directions.

After getting instructions, the learned Assistant Government Pleader for Endowments submits that the application is still pending.

Under Section 87(1)(h) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, the power to declare and recognize a person to be founder or member of founder's family vests with the Deputy Commissioner of Endowments having jurisdiction over the matter. Therefore, the Assistant Commissioner of Endowments cannot be directed to proceed with the case and grant relief to the petitioner. This Court, however, observes that the respondent shall forward the application of the petitioner to the jurisdictional Deputy Commissioner of Endowments. Thereafter, the petitioner may approach the Deputy Commissioner of Endowments for necessary declaration by placing all necessary material before the said authority.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

15.03.2007

Note: Issue C.C in one week.

B/o.

vs